

EXHIBIT C



JWG / ALL

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Primary Contact: Kellie Hallam
ConocoPhillips
600 North Dairy Ashford Road
Houston, TX 77079

Electronic copy provided to: Lisa Webster
Pamela Jenkins

Entity:	ConocoPhillips Company Entity ID Number 0013132
Entity Served:	Conocophillips Company
Title of Action:	Mary Major vs. SFPP, L.P.
Document(s) Type:	Summons/Complaint
Nature of Action:	Wrongful Death
Court/Agency:	Maricopa County Superior Court, Arizona
Case/Reference No:	CV2018-003217
Jurisdiction Served:	Arizona
Date Served on CSC:	03/09/2018
Answer or Appearance Due:	20 Days
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12 (505) 910-4800
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14 keith@pattonlaw.com
15 (*pro hac vice pending*)

16 Attorneys for Plaintiffs

17 **SUPERIOR COURT OF ARIZONA
18 MARICOPA COUNTY**

19 MARY MAJOR, individually, and as the
20 representative of THE ESTATE OF ELWYN
21 WEBB; JOSHUA WEBB,

22 Plaintiff,

23 v.

24 SFPP, L.P.; KINDER MORGAN ENERGY
25 PARTNERS, L.P.; KINDER MORGAN
26 G.P., INC.; KINDER MORGAN
27 OPERATING L.P. "D"; CALJET OF
28 AMERICA, LLC; CALJET II LLC; SHELL
OIL COMPANY; EQUILON
ENTERPRISES LLC; CONOCOPHILLIPS
COMPANY; ATLANTIC RICHFIELD
COMPANY D/B/A ARCO PRODUCTS
COMPANY; CIRCLE K TERMINAL LLC;
BP PRODUCT NORTH AMERICA;
EXXON MOBIL CORPORATION D/B/A

No. CV 2018-003217

SUMMONS

If you would like legal advice from a lawyer,
Contact the Lawyer Referral Service at

602-257-4434

or

www.maricopalawyers.org

Sponsored by the

Maricopa County Bar Association

1 MOBIL OIL CORP.; CHEVRON U.S.A.
2 INC.; PRO-PETROLEUM INC.; VALERO
3 MARKETING AND SUPPLY COMPANY;
4 JOHN DOES I-V; AND BLACK
CORPORATIONS I-V,

5 Defendants.

6

7 **STATE OF ARIZONA**

8 **To Defendant(s):**

10 11 12 13	SFPP, L.P. Via Registered Agent: CT CORPORATION SYSTEM 3800 NORTH CENTRAL AVENUE SUITE 460 PHOENIX, AZ 85012	CONOCOPHILLIPS COMPANY Via Registered Agent: UNITED STATES CORPORATION CO. 2338 W ROYAL PALM RD STE J PHOENIX, AZ 85021
14 15 16 17 18	KINDER MORGAN ENERGY PARTNERS, L.P. Does not maintain a registered agent in AZ KINDER MORGAN ENERGY PARTNERS, L.P. 500 DALLAS ST. HOUSTON, TX 77002	ATLANTIC RICHFIELD COMPANY D/B/A ARCO PRODUCTS COMPANY Via Registered Agent: CT CORPORATION SYSTEM 3800 N CENTRAL AVE SUITE 460 PHOENIX, AZ 85012
19 20 21 22	KINDER MORGAN G.P., INC. Via Registered Agent: CAPITOL CORPORATE SERVICES INC 2338 W ROYAL PALM RD STE J PHOENIX, AZ 85021	CIRCLE K TERMINAL LLC Via Registered Agent: CORPORATION SERVICE COMPANY 2338 W ROYAL PALM RD STE J PHOENIX, AZ 85021
23 24 25 26	KINDER MORGAN OPERATING L.P. "D" Via Registered Agent: CAPITOL CORPORATE SERVICES INC 2338 W ROYAL PALM RD STE J PHOENIX, AZ 85021	BP PRODUCT NORTH AMERICA Via Registered Agent: CT CORPORATION SYSTEM 3800 N CENTRAL AVE SUITE 460 PHOENIX, AZ 85012

1 2 3 4 5 6	CALJET OF AMERICA, LLC Via Registered Agent: RICH TARNOPOLSKI 5601 W VAN BUREN PHOENIX, AZ 85043	EXXON MOBIL CORPORATION D/B/A MOBIL OIL CORP. Via Registered Agent: CORPORATION SERVICE COMPANY 2338 W ROYAL PALM RD STE J PHOENIX, AZ 85021
7 8 9 10	CALJET II LLC Via Registered Agent: RICH TARNOPOLSKI 5601 W VAN BUREN PHOENIX, AZ 85043	CHEVRON U.S.A. INC. Via Registered Agent: PRENTICE-HALL CORP SYSTEM 2338 W ROYAL PALM RD STE J PHOENIX, AZ 85021
11 12 13 14	SHELL OIL COMPANY Via Registered Agent: CT CORPORATION SYSTEM 2390 E CAMELBACK RD PHOENIX, AZ 85016	PRO-PETROLEUM INC. Via Registered Agent: CT CORPORATION SYSTEM 3800 N CENTRAL AVE SUITE 460 PHOENIX, AZ 85012
15 16 17 18	EQUILON ENTERPRISES LLC Via Registered Agent: CT CORPORATION SYSTEM 3800 N CENTRAL AVE SUITE 460 PHOENIX, AZ 85012	VALERO MARKETING AND SUPPLY COMPANY Via Registered Agent: CT CORPORATION SYSTEM 3800 N CENTRAL AVE SUITE 460 PHOENIX, AZ 85012

19 **YOU ARE HEREBY SUMMONED** and required to appear and defend, within the time
 20 applicable, in this action in this Court. If served within Arizona, you shall appear and defend
 21 within twenty (20) days after the service of the Summons and Complaint upon you, exclusive of
 22 the day of service. If served out of the State of Arizona -- whether by direct service, by
 23 registered or certified mail, or by publication -- you shall appear and defend within thirty (30)
 24 days after the service of the Summons and Complaint upon you is complete, exclusive of the
 25 day of service. Where process is served upon the Arizona Director of Insurance as an insurer's
 26 attorney to receive service of legal process against it in this state, the insurer shall not be
 27
 28

1 required to appear, answer or plead until expiration of forty (40) days after date of such service
2 upon the Director. Service by registered or certified mail without the State of Arizona is
3 complete thirty (30) days after the date of filing the receipt and affidavit of service with the
4 Court. Service by publication is complete thirty (30) days after the date of first publication.
5 Direct service is complete when made. Service upon the Arizona Motor Vehicle Superintendent
6 is complete thirty (30) days after filing the Affidavit of Compliance and return receipt of
7 Officer's Return. RCP 4; A.R.S. §§ 20-222, 28-502, 28-503.

10 **YOU ARE HEREBY NOTIFIED** that in case of your failure to appear and defend
11 within the time applicable, judgment by default may be rendered against you for the relief
12 demanded in the Complaint.

14 **YOU ARE CAUTIONED** that in order to appear and defend, you must file an Answer
15 or proper response in writing with the Clerk of this Court, accompanied by the necessary filing
16 fee, within the time required, and you are required to serve a copy of any Answer or response
17 upon the Plaintiff's attorney. RCP 10(D); A.R.S. § 12-311; RCP 5.

20 **ADA Notification**

- 21 (1) Requests for reasonable accommodation for persons with disabilities must be
22 made to the division assigned to the case by the party needing accommodation or
23 his/her counsel at least three (3) judicial days in advance of a scheduled court
24 proceeding.
- 25 (2) Requests for an interpreter for persons with limited English proficiency must be
26 made to the division assigned to the case by the party needing the interpreter
and/or translator or his/her counsel at least ten (10) judicial days in advance of a
scheduled court proceeding.

The name and address of Plaintiff's attorney is:

**Scott I. Palumbo
PALUMBO WOLFE & PALUMBO, P.C.
2800 N. Central Ave., Suite 1400
Phoenix, Arizona 85004**

SIGNED AND SEALED this date: _____

Clerk

COPY

By: MAR - 6 2018



COPY

MAR - 6 2018



MICHAEL K. JEANES, CLERK
R. MALLARD
DEPUTY CLERK

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12 Attorneys for Plaintiffs

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14 **SUPERIOR COURT OF ARIZONA**
15 **MARICOPA COUNTY**

16 MARY MAJOR, individually, and as the
17 representative of THE ESTATE OF ELWYN
18 WEBB; JOSHUA WEBB,

19 No. CV 2018-003217

20 Plaintiffs,
21 v.
22 SFPP, L.P.; KINDER MORGAN ENERGY
23 PARTNERS, L.P.; KINDER MORGAN
24 G.P., INC.; KINDER MORGAN
25 OPERATING L.P. "D"; CALJET OF
26 AMERICA, LLC; CALJET II LLC;
27 SHELL OIL COMPANY; EQUIILON
28 ENTERPRISES LLC; CONOCOPHILLIPS
COMPANY; ATLANTIC RICHFIELD
COMPANY D/B/A ARCO PRODUCTS
COMPANY; CIRCLE K TERMINAL LLC;
BP PRODUCT NORTH AMERICA;
EXXON MOBIL CORPORATION D/B/A

COMPLAINT
(Tort: Wrongful Death)

1 MOBIL OIL CORP.; CHEVRON U.S.A.
2 INC.; PRO-PETROLEUM INC.;
3 VALERO MARKETING AND SUPPLY
COMPANY; JOHN DOES I-V; AND
4 BLACK CORPORATIONS I-V,

5 Defendants.

7 Plaintiffs, for their claims against the defendants, allege as follows:

8 1. Plaintiff MARY MAJOR is a resident of Arizona, and is the surviving spouse of
9 ELWYN WEBB. She is also the representative of the ESTATE OF ELWYN WEBB.

10 2. Plaintiff JOSHUA WEBB is the surviving son of ELWYN WEBB.

11 3. Defendant SFPP, L.P. is a business entity authorized, registered, and doing
12 business in Arizona.

13 4. Defendant KINDER MORGAN ENERGY PARTNERS, L.P. is a business entity
14 doing business in Arizona.

15 5. Defendant KINDER MORGAN G.P., Inc. is a business entity authorized,
16 registered, and doing business in Arizona.

17 6. Defendant KINDER MORGAN OPERATING L.P. "D" is a business entity
18 authorized, registered, and doing business in Arizona.

19 7. Defendant CALJET OF AMERICA, LLC is an Arizona limited liability company
20 authorized, registered, and doing business in Arizona, with its principal place of business in
21 Phoenix, Maricopa County, Arizona.

22 8. Defendant CALJET II LLC is an Arizona limited liability company authorized,
23 registered, and doing business in Arizona, with its principal place of business in Phoenix,

1 Maricopa County, Arizona.

2 9. Defendant SHELL OIL COMPANY is a business entity authorized, registered,
3 and doing business in Arizona.
4

5 10. Defendant EQUILON ENTERPRISES LLC is a business entity authorized,
6 registered, and doing business in Arizona.
7

8 11. Defendant CONOCOPHILLIPS COMPANY is a business entity authorized,
9 registered, and doing business in Arizona.
10

11 12. Defendant ATLANTIC RICHFIELD COMPANY D/B/A ARCO PRODUCTS
12 COMPANY is a business entity authorized, registered, and doing business in Arizona.
13

14 13. Defendant CIRCLE K TERMINAL LLC is a business entity authorized,
15 registered, and doing business in Arizona.
16

17 14. Defendant BP PRODUCT NORTH AMERICA is a business entity authorized,
18 registered, and doing business in Arizona.
19

20 15. Defendant EXXON MOBIL CORPORATION D/B/A MOBIL OIL CORP. is a
21 business entity authorized, registered, and doing business in Arizona.
22

23 16. Defendant CHEVRON U.S.A. INC. is a business entity authorized, registered, and
24 doing business in Arizona.
25

26 17. Defendant PRO-PETROLEUM INC. is a business entity authorized, registered,
27 and doing business in Arizona.
28

29 18. Defendant VALERO MARKETING AND SUPPLY COMPANY is a business
30 entity authorized, registered, and doing business in Arizona.
31

1 19. Defendants JOHN DOES I-V and BLACK CORPORATIONS I-V are, and at all
 2 material times were, persons, agents, servants, employees, corporations and/or business entities
 3 whose true names and identities are not presently known to the Plaintiffs. The Plaintiffs allege,
 4 upon information and belief, that John Does I-V and Black Corporations I-V are citizens,
 5 residents or incorporated in the State of Arizona. The Plaintiffs are informed and believe that
 6 one or more of these individuals and/or business entities caused an event to occur within the
 7 State of Arizona that is the subject of this Complaint.

8 20. Jurisdiction and venue are proper in this court.

9 21. From approximately 1985 to 2016, ELWYN WEBB worked as a gasoline truck
 10 driver for Calzona Tankways and later Coastal Transport Company, Inc.

11 22. As a gasoline truck driver, he loaded benzene-containing gasoline at the following
 12 terminals and loading racks owned and/or operated by each respective defendant:

<u>TERMINAL ADDRESS(ES)</u>	<u>OWNER(S)/OPERATOR(S)</u>
49 N. 53 rd Ave., Phoenix, AZ 85043	SFPP, L.P.; KINDER MORGAN ENERGY PARTNERS, L.P.; KINDER MORGAN G.P., INC.; KINDER MORGAN OPERATING L.P. "D";
125 N. 53 rd Ave., Phoenix, AZ 85043 and 5159 W. Monroe St., Phoenix, AZ 85043	CALJET OF AMERICA, LLC and CALJET II LLC;
109 N. 55 th Ave, Phoenix, AZ 85043	SHELL OIL COMPANY; EQUILON ENTERPRISES LLC;
S. 51 st Ave., Phoenix, AZ 85043 and 134 N. 55 th Ave., Phoenix, AZ 85005	CONOCOPHILLIPS COMPANY;
5333 W. Van Buren, Phoenix, AZ 85043	ATLANTIC RICHFIELD COMPANY; D/B/A ARCO PRODUCTS COMPANY; CIRCLE K

1 TERMINAL LLC; BP PRODUCT NORTH
2 AMERICA; EXXON MOBIL
3 CORPORATION D/B/A MOBIL OIL CORP.

4 5110 W. Madison St., Phoenix, AZ 85043 CHEVRON U.S.A. INC.; KINDER MORGAN
5 ENERGY PARTNERS, L.P.

6 408 S. 43rd Ave., Phoenix, AZ 85009 PRO-PETROLEUM INC.

7 23. The benzene-containing gasoline was manufactured, marketed, and/or sold by
8 each respective defendant.

9 24. In the course of his work at the defendants' premises, ELWYN WEBB was
10 exposed to benzene through inhalation and dermal absorption of the defendants' gasoline.

11 25. As a direct and proximate result of his exposure to benzene, ELWYN WEBB
12 contracted Myelodysplastic Syndrome (MDS), a benzene-induced blood and bone marrow
13 cancer.

14 26. ELWYN WEBB was diagnosed with MDS in January 2016 and died on March 19,
15 2016.

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17
18
COUNT I
NEGLIGENCE (PREMISES LIABILITY)

19 27. The plaintiffs allege and incorporate herein each allegation set forth above.

20
21 28. The defendants owed a duty to exercise reasonable care and caution for the safety,
22 health and welfare of ELWYN WEBB and others working on their premises where benzene was
23 used.

24
25 29. The defendants knew, or in the exercise of reasonable care should have known, of
26 an unreasonably dangerous condition on the premises of their terminals, specifically benzene

1 exposure, and that such exposure involved a foreseeable risk of harm and injury to a person in
2 ELWYN WEBB'S position.

3 30. Nevertheless, the defendants negligently, recklessly and or intentionally failed to
4 evaluate such conditions and failed to use reasonable care to prevent harm to the plaintiff and
5 others by the dangers associated with occupational exposure to benzene.

6 31. The defendants required workers, including ELWYN WEBB, to work with or in
7 close proximity to benzene, and be exposed to same, without the necessary preventative
8 measures or precautions.

9 32. The defendants knew, or in the exercise of reasonable care should have known,
10 that ELWYN WEBB would not discover the dangerous condition, would not realize the
11 condition presented an unreasonable risk of injury, or would not protect himself from the
12 condition.

13 33. The defendants were negligent and breached their duties to exercise reasonable
14 care for the safety, health, and welfare of ELWYN WEBB by doing one or more of the
15 following:

- 21 a. Failing to take precautions or to warn ELWYN WEBB of the dangers and
22 harm from benzene to which he was exposed while handling benzene-
23 containing gasoline;
- 24 b. Failing to provide ELWYN WEBB with sufficient knowledge as to what
25 would be reasonably safe and sufficient wearing apparel and proper
26 protective equipment to protect him from being damaged by exposure to
27 benzene;
- 28 c. Failing to take precautions or to exercise care by placing warnings or
 cautions in the areas where benzene-containing gasoline were located and
 handled, or on the fuel pumps to warn the handlers thereof of the dangers to

health in coming into contact with benzene;

- d. Failing to take reasonable care to warn mechanics and service station workers such as ELWYN WEBB of said dangers, and/or to instruct in the proper handling of benzene-containing gasoline, or to take proper precautions or exercise care to protect ELWYN WEBB from harm, and failed to timely adopt and enforce any safety plan and method of handling such products and resultant exposures to benzene;
 - e. Ignoring or failing to learn that the benzene-containing gasoline they introduced into the stream of commerce was toxic and/or carcinogenic and failing to adequately warn of same;
 - f. Creating dangerous conditions on their premises;
 - g. Failing to keep their premises in a reasonably safe condition;
 - h. Failing to give adequate warnings of the dangerous conditions on their respective premises;
 - i. Failing to protect invitees, such as ELWYN WEBB, from the hazards associated with exposure to benzene;
 - j. Failing to medically monitor or perform industrial hygiene monitoring for ELWYN WEBB;
 - k. Supplying benzene-containing gasoline with marketing, design, and/or manufacturing defects;
 - l. Committing acts or omissions while having a right to control;
 - m. Failing to properly exercise the right to control;
 - n. Failing to provide a safe place to work;
 - o. Failing to provide adequate safety equipment;
 - p. Failing to monitor benzene levels at their premises;
 - q. Failing to adopt and enforce a reasonable and safe industrial hygiene plan for benzene;

- 1 r. Failing failed to provide ELWYN WEBB with visible, understandable
2 warnings that were adequate to convey the severity of the risks of exposure
3 to benzene;
- 4 s. Failing to take reasonable care to warn ELWYN WEBB of the latency
5 period concerning diseases caused by benzene exposure;
- 6 t. Failing to take reasonable care to warn ELWYN WEBB of bystander
7 exposure;
- 8 u. Failing to warn ELWYN WEBB about the risk of developing cancer,
9 including MDS;
- 10 v. Failing to warn ELWYN WEBB that there is no known safe level of
11 exposure to benzene.

12 34. In failing to keep their premises reasonably safe, the defendants proximately
13 caused ELWYN WEBB to be exposed to significant amounts of benzene, which caused him to
14 develop MDS and die.

15 35. As a direct and proximate result of the defendants' fault, ELWYN WEBB incurred
16 substantial medical expenses, for which THE ESTATE OF ELWYN WEBB claims as damages
17 in this suit.

18 36. As a direct and proximate result of the defendants' fault, MARY MAJOR and
19 JOSHUA WEBB have been and will continue to be deprived of the love, affection, comfort,
20 companionship and care of ELWYN WEBB, and have experienced, and will continue to
21 experience, pain, grief, sorrow, anguish, stress, mental suffering, and a diminished quality of life
22 as a result of ELWYN WEBB'S death.

23
24
25
26 **COUNT II**
27 **NEGLIGENCE (FAILURE TO WARN)**

28 37. The plaintiffs allege and incorporate herein each allegation set forth above.

1 38. The defendants manufactured, distributed, and/or sold benzene-containing
2 gasoline.
3

4 39. The defendants each had a duty to exercise reasonable care to warn ELWYN
5 WEBB and others similarly situated with respect to the risk of harm posed by their benzene-
6 containing gasoline.
7

8 40. The defendants were negligent and breached their duties to exercise reasonable
9 care for the safety, health, and welfare of ELWYN WEBB by doing one or more of the
10 following:
11

- 12 a. Failing to take precautions or to warn ELWYN WEBB of the dangers and
13 harm from benzene and carcinogens to which he was exposed while
14 handling benzene-containing gasoline;
- 15 b. Failing to provide ELWYN WEBB with sufficient knowledge as to what
16 would be reasonably safe and sufficient wearing apparel and proper
17 protective equipment and appliances to protect him from being damaged by
18 exposure to benzene;
- 19 c. Failing to take precautions or to exercise care by placing any warnings or
20 cautions on the containers of such products to warn the handlers thereof of
21 the dangers of benzene to health in coming into contact with benzene;
- 22 d. Failing to take reasonable care to warn ELWYN WEBB of said dangers
23 and/or to instruct ELWYN WEBB in the proper handling of benzene, or to
24 take proper precautions or exercise care to protect ELWYN WEBB from
25 harm, and failed to timely adopt and enforce a safety plan and method of
26 handling benzene;
- 27 e. Ignoring or failing to learn that the benzene-containing gasoline they
28 introduced into the stream of commerce contained benzene and was toxic
 and/or carcinogenic and failing to adequately warn of same;
- f. Supplying products with marketing, design, and/or manufacturing defects;
- g. Failing to provide adequate safety equipment;

- 1 h. Failing to provide visible, understandable warnings that were adequate to
- 2 convey the severity of the risks associated with benzene;
- 3 i. Failing to take reasonable care to warn ELWYN WEBB of the latency
- 4 period concerning diseases caused by benzene;
- 5 j. Failing to take reasonable care to warn ELWYN WEBB of bystander
- 6 exposure at the workplace;
- 7 k. Failing to warn ELWYN WEBB about the risk of developing cancer,
- 8 including MDS;
- 9 l. Failing to warn ELWYN WEBB that there is no known safe level of
- 10 exposure to benzene from exposure to gasoline.

11 41. These acts of negligence by each or all of the defendants caused and/or
12 contributed to ELWYN WEBB'S MDS, subsequent death, and the plaintiffs' damages.

13 42. As a direct and proximate result of the defendants' fault for failure to warn,
14 ELWYN WEBB incurred substantial medical expenses, for which THE ESTATE OF ELWYN
15 WEBB claims as damages in this suit.

16 43. As a direct and proximate result of the defendants' fault for failure to warn,
17 MARY MAJOR and JOSHUA WEBB were and continue to be deprived of the love, affection,
18 comfort, companionship and care of ELWYN WEBB, and have experienced, and will continue
19 to experience, pain, grief, sorrow, anguish, stress, mental suffering, and a diminished quality of
20 life as a result of ELWYN WEBB'S death.

21 WHEREFORE, the plaintiffs pray for judgment against the defendants as follows:

- 22 A. For general damages to be proven at trial;
- 23 B. For special damages to be proven at trial;

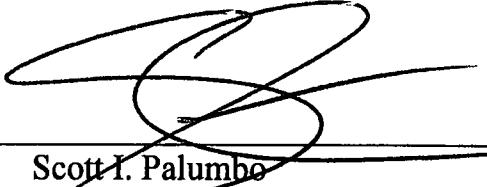
- 1 C. For the wrongful death damages suffered by MARY MAJOR and JOSHUA
2 WEBB as a result of ELWYN WEBB'S death.
3
4 D. For the medical expenses incurred by THE ESTATE OF ELWYN WEBB.
5 E. For funeral and burial expenses.
6 F. For punitive or exemplary damages.
7
8 G. For the plaintiffs' costs of suit.
9
10 H. For such other relief as the court deems just and proper.

11 DATED this 10th day of March, 2018.

12 PATTON LAW, P.C.

13 AND

14 PALUMBO WOLFE & PALUMBO, P.C.

15 By 

16
17 Scott I. Palumbo
18 2800 N. Central Ave., Suite 1400
19 Phoenix, Arizona 85004
20 Attorneys for Plaintiffs

21 ORIGINAL of the foregoing filed
22 this 10th day of March, 2018, with:

23 Clerk of the Superior Court
24 Maricopa County Superior Court
25 201 W. Jefferson Street
26 Phoenix, Arizona 85003

27 By Susan Hoffman

COPY

MAR - 6 2018



MICHAEL K. JEANES, CLERK
R. MALLARD
DEPUTY CLERK

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12 Attorneys for Plaintiffs

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15 **MARICOPA COUNTY**

16 MARY MAJOR, individually, and as the
17 representative of THE ESTATE OF ELWYN
18 WEBB; JOSHUA WEBB,

19 No. CV 2018-003217

20 Plaintiff,
21 v.
22
23 **PLAINTIFFS' CERTIFICATE OF**
24 **COMPULSORY ARBITRATION**

25 SFPP, L.P.; KINDER MORGAN ENERGY
26 PARTNERS, L.P.; KINDER MORGAN
27 G.P., INC.; KINDER MORGAN
OPERATING L.P. "D"; CALJET OF
AMERICA, LLC; CALJET II LLC; SHELL
OIL COMPANY; EQUILON
ENTERPRISES LLC; CONOCOPHILLIPS
COMPANY; ATLANTIC RICHFIELD
COMPANY D/B/A ARCO PRODUCTS
COMPANY; CIRCLE K TERMINAL LLC;
BP PRODUCT NORTH AMERICA;
EXXON MOBIL CORPORATION D/B/A

1 MOBIL OIL CORP.; CHEVRON U.S.A.
2 INC.; PRO-PETROLEUM INC.; VALERO
3 MARKETING AND SUPPLY COMPANY;
4 JOHN DOES I-V; AND BLACK
CORPORATIONS I-V,

5 Defendants.

6

7 The undersigned certifies that he knows the dollar limits and any other limitations set
8 forth by the local rules of practice for the applicable superior court, and further certifies that this
9 case is not subject to compulsory arbitration, as provided by Rules 72 through 76 of the Arizona
10 Rules of Civil Procedure.

11 DATED this 6th day of March, 2018.

12
13 PATTON LAW, P.C.

14
15 AND

16 PALUMBO WOLFE & PALUMBO, P.C.

17
18 By _____
19

20 Scott I. Palumbo
21 2800 N. Central Ave., Suite 1400
22 Phoenix, Arizona 85004
23 Attorneys for Plaintiffs

24 ORIGINAL of the foregoing e-filed
25 this 6th day of March, 2018, with:

26 Clerk of the Superior Court
27 Maricopa County Superior Court
28 201 W. Jefferson Street
Phoenix, Arizona 85003

By Susan Hoffman

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15 **MARICOPA COUNTY**

16 MARY MAJOR, individually, and as the
representative of THE ESTATE OF ELWYN
17 WEBB; JOSHUA WEBB,

No. CV 2018-003217

18 **PLAINTIFFS' DEMAND**
19 **FOR JURY TRIAL**

v.

20 SFPP, L.P.; KINDER MORGAN ENERGY
21 PARTNERS, L.P.; KINDER MORGAN
G.P., INC.; KINDER MORGAN
22 OPERATING L.P. "D"; CALJET OF
AMERICA, LLC; CALJET II LLC; SHELL
23 OIL COMPANY; EQUILON
ENTERPRISES LLC; CONOCOPHILLIPS
24 COMPANY; ATLANTIC RICHFIELD
COMPANY D/B/A ARCO PRODUCTS
25 COMPANY; CIRCLE K TERMINAL LLC;
BP PRODUCT NORTH AMERICA;
26 EXXON MOBIL CORPORATION D/B/A
27
28

1 MOBIL OIL CORP.; CHEVRON U.S.A.
2 INC.; PRO-PETROLEUM INC.; VALERO
3 MARKETING AND SUPPLY COMPANY;
4 JOHN DOES I-V; AND BLACK
CORPORATIONS I-V,

5 Defendants.

6

7 Pursuant to Rule 38, Arizona Rules of Civil Procedure, the plaintiffs hereby demand a
8 jury trial in the above-entitled matter.

9 DATED this 12th day of March, 2018.

10

11 PATTON LAW, P.C.

12 AND

13

14 PALUMBO WOLFE & PALUMBO, P.C.

15

16 By _____

17 Scott I. Palumbo
18 2800 N. Central Ave., Suite 1400
19 Phoenix, Arizona 85004
20 Attorneys for Plaintiffs

21 ORIGINAL of the foregoing filed
this 10th day of March, 2018, with:

22 Clerk of the Superior Court
23 Maricopa County Superior Court
24 201 W. Jefferson Street
Phoenix, Arizona 85003

25

26 By Jessica Hoffman